

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JERRY MUNOZ DURAN,

Petitioner,

v.

STEVE SINCLAIR,

Respondent.

NO. CV-09-5036-CI

JUDGMENT

DECISION BY THE COURT:

This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Court **ADOPTS** the Report and Recommendation.

1. Respondent's Motion to Dismiss is **GRANTED**.
2. Petitioner's Petition for Writ of Habeas Corpus is **DISMISSED WITH PREJUDICE**.
3. The Court declines to issue a Certificate of Appealability.

JAMES R. LARSEN
District Court Executive/Clerk

s/ L. Stejskal, Deputy Clerk